

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TYRONE HURT,

Plaintiff,

-against-

U.S. CONSTITUTION, et al.,

Defendants.

22-CV-4395 (LTS)

ORDER OF DISMISSAL UNDER
28 U.S.C. § 1651

LAURA TAYLOR SWAIN, Chief United States District Judge:

On October 11, 2013, Plaintiff was barred from filing any new action *in forma pauperis* (IFP) without first obtaining from the Court leave to file. *See Hurt v. D.C. Bd. of Parole*, ECF 1:13-CV-5365, 3 (S.D.N.Y. Oct. 11, 2013), *appeal dismissed*, No. 13-4474 (2d Cir. Apr. 3, 2014). Plaintiff brings this new action *pro se* without prepaying the filing fees and without seeking from the Court leave to file this action. The action is therefore dismissed without prejudice for Plaintiff's failure to comply with the Court's October 11, 2013 order in *Hurt*, ECF 1:13-CV-5365, 3.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: May 27, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge